

ARTICLE APPEARED  
IN PAGE 43

NEW YORK DAILY NEWS  
18 August 1977

# Orders CIA To Pay 3G for Mail Search

By STEWART AIN

Declaring that this country does not pay lip service to the value of human rights and individual dignity, Brooklyn Federal Judge Jack Weinstein ordered the Central Intelligence Agency yesterday to send letters of apology and pay \$1,000 each to three persons whose mail it illegally opened.

In a 57-page opinion, Weinstein said that the Constitution must be made consequential to our citizens rather than pretentious, empty promises.

He said the CIA's illegal mail search operation from 1953 through 1973 has resulted in a perceptible widespread loss of confidence in the integrity of the mails and in the right of individuals to be free from surreptitious intrusions into their privacy by government officials.

Knowledge by government officials that individuals have effective legal remedies to enforce their rights may deter future illegality," Weinstein added.

The suit was brought by two persons whose letters to the Soviet Union were intercepted at Kennedy Airport, read, copied, resealed and then delivered. The third plaintiff sued after he discovered that a letter from his son in the Soviet Union had been intercepted and copied before he received it.

Although the government acknowledged that its mail-opening operation was illegal, it insisted that the program was not aimed directly at the plaintiff but rather at institutions or persons to whom the letters had been mailed.

The award of \$1,000 to each of the plaintiffs is considerably less than the damages an advisory jury recommended last May 12. Three of those jurors suggested an award of \$10,000 each, one suggested \$2,500 and the other eight recommended \$5,000 each.

## Read, Copied and Resealed

Weinstein explained that the jurors' suggestions were not appropriate because the plaintiffs had not suffered objective, observable injuries as a result of interferences with their civil liberties.

But Weinstein said he believes each of the plaintiffs suffered actual mental pain, outrage and shock when they learned that government agents had interfered with their privacy by opening and reading their mail. He said they are entitled to monetary damages because their privacy was invaded.

Weinstein said also that it is "possible to ameliorate the harm by the government's writing a letter of apology... Assurance by the government that it regrets the injury to plaintiffs will serve to soothe their wounded faith in our democratic institutions; give assurances of nonrecurrence in the future and restore some confidence in our government."

During the letter-opening operation at least 215,000 pieces of mail were copied, Weinstein said, adding that "only part of the general pattern of post World War II lawlessness and abuse of power exemplifying contempt for the law and the Constitution by the government."

STAT